

**WEACAU-III: International Workshop on  
Environmental Aspects of Coal Ash Utilization**

Tel Aviv, Israel  
December 11<sup>th</sup> – 12<sup>th</sup> 2012

**Effects of Regulations on CCP Beneficial Use in the United States**

Thomas H. Adams, Executive Director  
American Coal Ash Association

**Abstract**

Since 1976, the U.S. government has been making attempts to create regulations for the management of disposal of Coal Combustion Products (CCP). The Resource Conservation and Recovery Act (RCRA) of 1976 identified materials which must be handled as hazardous wastes for disposal purposes. Recognizing this type of regulation was harmful to the beneficial use of CCP, the Bevill Amendment was passed by Congress in 1980 exempting CCP and selected other materials from hazardous waste regulations but also instructed the US Environmental Protection Agency to further study the material and report. The EPA issued a determination in 1993 that CCP did not warrant management as a hazardous waste. The agency issued a final determination in 2000 with the same conclusion. Following this final determination markets for CCP use opened rapidly resulting in an increase of almost 50% in the rate of beneficial use from 2000 to 2008.

Following a major failure of containment of a surface impoundment in 2008, the EPA initiated an effort to regulate management of CCP. The agency has expressed a strong interest in creating hazardous waste regulations for disposal. This effort has had a chilling effect on beneficial use markets. While no final regulation has been established, beneficial use markets are deteriorating due to regulatory uncertainty.

This presentation will demonstrate the positive and negative impacts on CCP beneficial use markets resulting from shifting positions of the US Environmental Protection Agency.